

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 25TH SEPTEMBER 2007 / 3RD ASWINA 1929

Bail Appl..No. 5787 of 2007()

CRMA.2221/2007 of DISTRICT COURT, THRISSUR
CRIME NO.255/07 OF TH4E KODAKARA POLICE STATION
.....

: PETITIONER/ACCUSED NO.1

SAJITH, S/O.ARAVINDAKSHAN,
MANADI HOUSE, NEAR IRINGAMPILLY TEMPLE,
ARoor.

BY ADV. SRI.P.S.SREEDHARAN PILLAI
SMT.C.G.PREETHA

RESPONDENTS: COMPLAINANT/STATE

STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY P.P. SRIJAI GEORGE.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 25/09/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

R. BASANT, J.

B.A. NO. 5787 of 2007

Dated this the 25th day of September, 2007

ORDER

Application for regular bail. The petitioner faces allegations under Sec.399 of the IPC. He was arrested on 20/6/07. He continues in custody from that date. Investigation is not complete. Charge sheet has not been filed.

2. The learned counsel for the petitioner submits that a period of 90 days from the date of arrest having already elapsed and the final report having not been filed so far, the petitioner has acquired an indefeasible right to be released on bail on account of the default on the part of the Investigator.

3. The learned Public Prosecutor does not oppose the said prayer. The learned Public Prosecutor only submits that in the nature and circumstances of the case, appropriate conditions may be imposed.

4. I am satisfied that the petitioner is entitled to be released on bail now in the circumstances explained above

5. **In the result:**

(a) The application is allowed.

(b) The petitioner shall be released on bail on the following terms and conditions:

(i) The petitioner shall execute a bond for Rs.1,00,000/- (Rupees one lakh only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

(ii) The petitioner shall make himself available for interrogation before the Investigating Officer on all Mondays and Fridays between 10 a.m. and 12 noon for a period of three months and thereafter as and when directed by the Investigating Officer in writing to do so.

(R. BASANT, JUDGE)

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